



AGENDA TITLE: Adopt Resolution to Implement Storm Water Development Standard Plans

as Required **by** the State Water Resources Control Board and Set Inspection Fee for **Post** Construction Best Management Practices as

Required in the Standards

MEETING DATE: August 6, 2008

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution to implement the Storm Water Development

Standard Plans as required by the State Water Resources Control

Board and set inspection fee for post construction Best Management Practices as required in the Standards.

BACKGROUND INFORMATION: The State Water Resources Control Board issued the City of Lodi

Permit WDID No. 5B39NP00028 that governs the discharge of storm water runoff. A condition of that permit requires the adoption of development and redevelopment design standards per

Attachment No. 4 of the State's General Discharge Permit. These standards were scheduled to be in place by May of 2007.

The Public Works and Community Development Departments have been working with WGR Southwest, a local firm with expertise in this area, to prepare development standard plans (DSP) that would comply with the requirements of the State's Attachment No. 4. The DSP address all new development and qualifying "significant redevelopment". New development project categories that trigger DSP are defined as commercial developments of over 100,000 square feet, automotive repair shops, retail gasoline outlets, restaurants, parking lots of over 5,000 square feet or 25 spaces, and housing subdivisions of more than ten units. Significant redevelopment is defined as creation or addition of at least 5,000 square feet of impervious surfaces on an already developed site. The typical DSP consists of an activity-specific Best Management Practices (BMP's) that alone or in combination with other BMP's achieve the water quality objectives of the regulations. Staff has held several meetings with members of the building industry and has met with the Executive Officer of the Building Industry Association (BIA) to discuss these changes.

These standards require an annual inspection of the post construction Best Management Practices (BMP's) to confirm they are being maintained and operated correctly. The proposed \$122 inspection fee is the same fee charged for construction inspections related to erosion control during construction. The property owner would be billed for each inspection when completed. Should a site require multiple inspections, that expense would also be billed. The inspection fee would be subject to inflationary price adjustments. Subdivision developments would be required to establish an assessment district to address the inspection of post construction BMP's. These properties would be tracked by GIS plotting and recorded with the County Assessor's Office.

APPROVED: 1

Blair King, City Manager

Adopt Resolution to Implement Storm Water Development Standard Plans as Required by the State Water Resources Control Board and Set Inspection Fee for Post Construction Best Management Practices as Required in the Standards August 6, 2008
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A copy \mathcal{L} the final document is available in the offices of the Public Works and Community Development Departments.

FISCAL IMPACT: The cost of implementing these required State standards would be borne

by !he developers of all new development and qualifying significant

redevelopment. Ongoing annual inspections will be billed to the property

owner when service is rendered.

FUNDING AVAILABLE: Not applicable.

F. Wally Sandelin

Public Works Director

Prepared by George M. Bradley, Streets 8 Drainage Manager

cc: Charles E. Swimley, Jr.. Water Services Manager Curt Juran, Assistant Streets 8 Drainage Manager Dennis Canright, Building Official

RESOLUTION NO. 2008-___



A RESOLUTION OF THE LODI CITY COUNCIL IMPLEMENTING THE STORM WATER DEVELOPMENT STANDARD PLANS AND SETTING INSPECTION FEE FOR POST CONSTRUCTION BEST MANAGEMENT PRACTICES AS REQUIRED IN THE STANDARDS

WHEREAS, the State Water Resources Control Board issued the City of Lodi Permit WDID No. 5B39NP00028 that governs the discharge of storm water runoff, and a condition of that permit requires the adoption of development and redevelopment design standards per Attachment No. 4 of the State's General Discharge Permit; and

WHEREAS, the Public Works and Community Development Departments have been working with WGR Southwest, a local firm with expertise in this area, on developing standard plans (DSP) that would comply with the requirements of the State's Attachment No. 4 and would address all new development and qualifying "significant redevelopment"; and

WHEREAS, new development project categories that trigger DSP are defined as commercial developments of over 100,000 square feet, automotive repair shops, retail gasoline outlets, restaurants, parking lots of over 5,000 square feet or 25 spaces, and home subdivisions of more than ten units. Significant redevelopment is defined as creation or addition of at least 5,000 square feet of impervious surfaces on an already developed site; and

WHEREAS, these standards require an annual inspection of the post construction **Best** Management Practices (BMP's) to confirm they are being maintained and operated correctly. The proposed <u>\$122</u> inspection fee is the same fee charged for construction inspections related to erosion control. The property owner would be billed for each inspection when completed. Should a site require multiple inspections, that expense would also be billed. The inspection fee would be subject to

Consumer Price Index (San Francisco. Urban. unadjusted); and

WHEREAS, subdivision developments would be required to establish an assessment district to address the inspection of post-construction BMP's. These properties would be tracked by GIS plotting and recorded with the County Assessor's Office.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby implement the Storm Water Development Redevelopment Design Standards as required by the State Water Resources Control Board: and

BE IT FURTHER RESOLVED that the City Council does hereby set the fee for the annual inspection of the post-construction Best Management Practices for individual properties at **\$122**, subject to inflationary price adjustments.

Dated: August 6, 2008	

I hereby certify that Resolution No. 2008-___ was passed and adopted by the City Council d the City of Lodi in a regular meeting held August 6, 2008, by the following vote:

AYES: COUNCIL MEMBERS -

NOES: COUNCIL MEMBERS -

ABSENT: COUNCIL MEMBERS -

ABSTAIN: COUNCIL MEMBERS -

RANDI JOHL City Clerk

RESOLUTION NO. 2008-159

A RESOLUTION OF THE LODI CITY COUNCIL IMPLEMENTING THE STORM WATER DEVELOPMENT STANDARD PLANS

WHEREAS, the State Water Resources Control Board issued the City of Lodi Permit WDID No. 5B39NP00028 that governs the discharge of storm water runoff, and a condition of that permit requires the adoption of development and redevelopment design standards per Attachment No. 4 of the State's General Discharge Permit; and

WHEREAS, the Public Works and Community Development Departments have been working with WGR Southwest, a local firm with expertise in this area, on developing standard plans (DSP) that would comply with the requirements of the State's Attachment No. 4 and would address all new development and qualifying "significant redevelopment"; and

WHEREAS, new development project categories that trigger DSP are defined as commercial developments of over 100,000 square feet, automotive repair shops, retail gasoline outlets, restaurants, parking lots of over 5,000 square feet or 25 spaces, and home subdivisions of more than ten units. Significant redevelopment is defined as creation or addition of at least 5,000 square feet of impervious surfaces on an already developed site; and

WHEREAS, these standards require an annual inspection of the post construction Best Management Practices (BMPs) to confirm they are being maintained and operated correctly; and

WHEREAS, Council will consider adoption of such fee after a noticed public hearing; and

WHEREAS, subdivision developments would be required to establish an assessment district to address the inspection of post-construction BMPs. These properties would be tracked by GIS plotting and recorded with the County Assessor's Office.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby implement the Storm Water Development Redevelopment Design Standards as required by the State Water Resources Control Board.

Dated; August 6,2008

I hereby certify that Resolution No. 2008-159 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August **6**, 2008, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Katzakian, and

Mayor Mounce

NOES: COUNCIL MEMBERS - None

ABSENT: COUNCIL MEMBERS - None

ABSTAIN: COUNCIL MEMBERS - None

RANDIJOHL City Clerk









The Development Standards Plan (DSP) is mandated by the State of California ...

- The California State Water Resources Control Board adopted a NPDES Permit for the discharge of storm water from storm drainage systems of municipalities with a population < 100,000.
- Lodi was identified by the State as one of these municipalities and, therefore, prepared a Storm Water Management Plan (SWMP) in January 2003.
- This DSP was prepared in accordance with the requirements contained in the City's storm water permit (Attachment 4) and the SWMP.

The Development Standards Plan (DSP) is mandated by the State of California ...

• All Phase I cities (Stockton, the Port of Stockton, Sacramento) and many Phase II cities (San Joaquin County, Tracy, Lathrop, Manteca) have already implemented their version of the DSP. Developers who have projects in these other cities or in the County have already had to comply with these regulations for, in some cases, several years.

Lodi's DSP Calendar of Events

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April 2006 -	State required the DSP to be in place and enforced by May 2007.
July 2006 -	Staff advised the building community that Attachment 4 requirements are required.
April 2007-	Draft DSP prepared and reviewed with Community Development and Public Works.
August 2007 -	During the Hutchins Street Square Got SWPPP Event, the DSP was presented to the building community. There were 65 attendees – 5 different development companies were present.
October 2007-	A workshop held by the San Joaquin Storm Water Partnership at Micke Grove presented the DSP requirements to the 49 attendees.
Sept. 2008 -	Scheduled to present DSP to the Lodi Task Force of the BIA.

BMPs

Best
Management
Practices

BMPs in the context of Lodi's storm water Development Standards Plan are the design measures that are included in a project to prevent storm water from being contaminated or to treat contaminated water. They vary in complexity from:

Simple signage



To Complex Filtration systems



Examples of treatment BMPs include:

DSP

Development Standards Plan





Design Considerations

- Tributary Area
- Slope
- Water Availability
- Aesthetics

(Examples are from the California Stormwater Quality Association BMP Handbook for New Development)

- Vegetated buffer strips
- Vegetated swales
- Extended detention basins
- Wet ponds
- Constructed wetlands
- Infiltration trenches
- Media filter
- Retention / irrigation
- Alternative and proprietary control measures, including wet vaults, oil/water separators, and vortex separators

How does Lodi's plan compare with other local plans?

- Lodi's Plan is similar in that it:
 - Follows the Small MS4 permit Attachment 4 requirements.
 - Uses the same flow and volume data for the design criteria.
 - Relies heavily on the concepts contained in the CASQA reference manual and incorporates in Low Impact Development measures.
 - Is organized similar to the Lathrop and Port of Stockton DSPs, which have been approved by the RWQCB, and Ripon's DSP, which is pending submittal to the RWQCB.

How does Lodi's plan differ with other local plans?

- Lodi's Plan differs with some of the other local plans in that it:
 - Does not limit the developer to a set list of treatment controls.
 - Allows other criteria beyond flow and volume based, such as performance based.
 - Does not embody the CASQA information, but cross-references it.
 - Has some aspects of the DSP that apply to all new construction.
 - Attempts to meet the State's MEP standard by incorporating in various levels of BMPs (Mandatory Minimum, Regional, Priority Category BMPs, and Treatment Control Measures.)

New Projects - defined by the State as Priority Development Project Categories:

- Home subdivisions with 10 housing units or more
- Commercial developments (>= 100,000 sq.ft.)
- Automotive repair shops
- Restaurants
- Parking lots exposed to rainfall >5,000 sq. ft. or with >= 25 parking spaces.
- Retail Gasoline Outlets

Applicable

Significant Redevelopment Projects:

"Significant Redevelopment" is defined as the creation or addition of at least 5,000 sq.ft. of impervious surfaces on an already developed site.

But, some aspects will apply to all NEW projects:

- Storm drain labeling
- Trash and garbage enclosures
- How roof drains are plumbed
- Loading docks
- Vehicle and equipment maintenance and washing areas
- Swimming pool and fountain filters
- Sample boxes

But, they <u>do not</u> apply to existing properties unless that property has "significant redevelopment".

Implementation Process:

Discretionary Projects Planning Division

- Subdivisions
- Conditional Use Permits
- Development Plans
- Annexations
- Rezoning

Figure 2.4

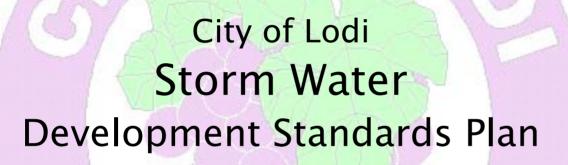
Ministerial Projects Building Division

- Building Permits
- Tenant Improvements
- Remodels



Initial Project Receipt and Review

Public Works and/or the Engineering Division review the Development Standards Plan submitted by developer to determine that it incorporates all of the required BMPs; addresses the appropriate potential pollutants; and is adequately designed and sized. Public Works will then communicate its approval or need for revision to the Planning or Building Division.



QUESTIONS?





